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*Co-Counsel for the Debtors and Debtors in Possession*

**UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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In re:	)	
	)	Chapter 11
	)	
BARNEYS NEW YORK, INC., <i>et al.</i> , <sup>1</sup>	)	Case No. 19-36300 (CGM)
	)	
Debtors.	)	(Jointly Administered)
	)	

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**AGENDA FOR HEARING TO BE HELD  
FEBRUARY 4, 2020, AT 12:00 P.M. (PREVAILING EASTERN TIME)**

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Time and Date of Hearing: February 4, 2020, at 12:00 p.m. (prevailing Eastern Time)

Location of Hearing: The Honorable Judge Cecelia G. Morris  
United States Bankruptcy Court for the Southern District of New York  
355 Main Street  
Poughkeepsie, New York 12601

Copies of Motions: A copy of each pleading can be viewed on the Court's website at <http://www.nysb.uscourts.gov> and the website of the Debtors' notice and claims agent, Stretto, at <http://case.stretto.com/barneys>. Further

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<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, include: Barneys New York, Inc. (1818); Barney's Inc. (2980); BNY Catering, Inc. (4434); BNY Licensing Corp. (4177); and Barneys Asia Co. LLC (0819). The location of the Debtors' service address is 660 Madison Avenue, 9th Floor, New York, NY 10065.

information may be obtained via email at barneys@stretto.com, or by calling (855) 202-8711 (for domestic or Canadian callers), or internationally at (949) 346-3310.

**I. Matters To Be Heard.**

1. ***Chapter 11 Plan.*** Revised Joint Chapter 11 Plan of Barneys New York, Inc. and Its Debtor Affiliates [Docket No. 611, Exhibit C].

Objection Deadline: January 17, 2020 at 4:00 p.m. (prevailing Eastern Time).

Formal Responses Received:

- A. Objection of California Department of Tax and Fee Administration to Confirmation of the Joint Chapter 11 Plan of Barneys New York, Inc. and Its Debtor Affiliates [Docket No. 659].
- B. Objection and Reservation of Rights of New York-New Jersey Regional Joint Board, Affiliated with Workers United, to Debtors' Motion for Confirmation Joint Chapter 11 Plan of Barneys New York, Inc. and Its Debtor Affiliates [Docket No. 686].
- C. Agent's Limited Objection to Confirmation of the Revised Joint Chapter 11 Plan of Barneys New York Inc. and Its Debtor Affiliates [Docket No. 687].
- D. Objection of Google LLC to Joint Chapter 11 Plan of Barney's New York, Inc. and Its Debtor Affiliates [Docket No. 688].
- E. Limited Objection of Regency Centers, L.P. to Joint Chapter 11 Plan of Barneys New York, Inc. and Its Debtor Affiliates [Docket No. 689].
- F. Objection and Reservation of Rights of (I) the Amalgamated Retail Retirement Fund, (II) the National Plus Plan and (III) the Amalgamated National Health Fund to Confirmation of Joint Chapter 11 Plan of Barneys New York, Inc. And Its Debtor Affiliates [Docket No. 690]
- G. Notice of Withdrawal of Objection of California Department of Tax and Fee Administration to Confirmation of the Joint Chapter 11 Plan of Barneys New York, Inc. and Its Debtor Affiliates [Docket No. 695].
- H. Notice of Withdrawal filed by Regency Centers, L.P. [Docket No. 746].
- I. Notice of Withdrawal of: (1) Objection and Reservation of Rights, and (2) Non-Consent of Treatment, of New York-New Jersey Regional Joint Board, Affiliated with Workers United, to Debtors' Motion for Confirmation Joint Chapter 11 Plan of Barneys New York, Inc. and Its Debtor Affiliates [Docket No. 752].

Cure Amount Responses Received:

- J. ADP Inc.'s Objection to Debtors' Assumption of Executory Contract and Proposed Cure Amounts [Docket No. 681].
- K. Aetna Life Insurance Company's Limited Objection and Reservation of Rights with Respect to Notice of (A) Executory Contracts and Unexpired Leases to be Assumed by the Debtors Pursuant to the Plan, (B) Cure Amounts, if any, and (C) Related Procedures in Connection Therewith and Reservation of Rights [Docket No. 684].

Replies Filed:

- L. Debtors' (I) Brief in Support of Confirmation of the Joint Chapter 11 Plan of Barneys New York, Inc. and Its Debtor Affiliates, and (II) Omnibus Reply to Confirmation Objections [Docket No. 751].

Related Documents:

- M. Joint Chapter 11 Plan of Barneys New York, Inc. and Its Debtor Affiliates [Docket No. 527].
- N. Disclosure Statement for the Joint Chapter 11 Plan of Barneys New York, Inc. and Its Debtor Affiliates [Docket No. 528].
- O. Notice of Filing Revised Disclosure Statement for the Joint Chapter 11 Plan of Barneys New York, Inc. and Its Debtor Affiliates [Docket No. 579].
- P. Notice of Filing (I) Revised Disclosure Statement for the Joint Chapter 11 Plan of Barneys New York, Inc. and Its Debtor Affiliates and (II) Revised Joint Chapter 11 Plan of Barneys New York, Inc. and Its Debtor Affiliates [Docket No. 596].
- Q. Notice of Filing Revised Proposed Order Approving (I) the Adequacy of the Disclosure Statement; (II) Solicitation and Notice Procedures; (III) Forms of Ballots and Notices in Connection Therewith; and (IV) Certain Dates with Respect Thereto [Docket No. 607].
- R. Notice of Filing (I) Revised Disclosure Statement for the Joint Chapter 11 Plan of Barneys New York, Inc. and Its Debtor Affiliates and (II) Revised Joint Chapter 11 Plan of Barneys New York, Inc. and Its Debtor Affiliates [Docket No. 611].
- S. Order Approving (I) the Adequacy of the Disclosure Statement; (II) Solicitation and Notice Procedures; (III) Forms of Ballots and Notices in Connection Therewith; and (IV) Certain Dates with Respect Thereto [Docket No. 612].

- T. Debtors' Omnibus Limited Objection Solely to the Voting Amount Associated with Certain Claims [Docket No. 648].
- U. Plan Supplement for the Joint Chapter 11 Plan of Barneys New York, Inc. and Its Debtor Affiliates [Docket No. 652].
- V. Notice of Adjournment of Confirmation Hearing [Docket No. 694].
- W. Certification of Stretto Regarding Tabulation of Votes in Connection with the Joint Chapter 11 Plan of Barneys New York, Inc. and Its Debtor Affiliates [Docket No. 700].
- X. Declaration of Christopher A. Good in Support of Confirmation of the Joint Chapter 11 Plan of Barneys New York, Inc. and Its Debtor Affiliates [Docket No. 753].
- Y. Certification of Stretto Regarding Tabulation of Consent Forms in Connection with the Joint Chapter 11 Plan of Barneys New York, Inc. and Its Debtor Affiliates [Docket No. 754].
- Z. Notice of Filing of Proposed Findings of Fact, Conclusions of Law, and Order Confirming the Joint Chapter 11 Plan of Barneys New York, Inc. and Its Debtor Affiliates [Docket No. 755].

Stipulations:

- AA. Stipulation Regarding Allowance of Administrative Claim for Ovative Group, LLC [Docket No. 685].
- BB. Stipulation Regarding Allowance of Administrative Claim for SKLO [Docket No. 715].
- CC. Stipulation Regarding Allowance of Administrative Claim for Precognitive Inc. [Docket No. 723].
- DD. Stipulation Regarding Allowance of Administrative Claim for FedEx Corporate Services, Inc. [Docket No. 728].
- EE. Stipulation Regarding Allowance of Administrative Expense Claim for Akamai Technologies, Inc. [Docket No. 731].
- FF. Stipulation Regarding Allowance of Administrative Expense Claim for Newmine, LLC [Docket No. 738].
- GG. Stipulation Regarding Allowance of Administrative Expense Claim for Epsilon Data Management, LLC [Docket No. 741].
- HH. Stipulation Regarding Allowance of Administrative Claim for Wolford America, Inc. [Docket No. 742].
- II. Stipulation Regarding Allowance of Administrative Claim for Google LLC [Docket No. 748].

JJ. Stipulation Regarding Allowance of Administrative Claim for the Harmonist Inc. [Docket No. 749].

Status: The hearing on this matter is going forward.

2. ***Houlihan Lokey's First and Final Fee Application.*** First Interim and Final Fee Application of Houlihan Lokey Capital, Inc., Investment Banker to the Debtors, for Allowance of Compensation for Professional Services Rendered and Reimbursement of Actual and Necessary Expenses Incurred From August 6, 2019 Through October 31, 2019 [Docket No. 554].

Objection Deadline: January 17, 2020 at 4:00 p.m. (prevailing Eastern Time).

Formal Responses Received: None.

Related Documents:

- A. Notice of Hearing on First Interim and Final Fee Application of Houlihan Lokey Capital, Inc., Investment Banker to the Debtors, for Allowance of Compensation for Professional Services Rendered and Reimbursement of Actual and Necessary Expenses Incurred from August 6, 2019 Through October 31, 2019 [Docket No. 618].

Status: The hearing on this matter is going forward.

## **II. Resolved Matters.**

3. ***FedEx's Administrative Claims Motion.*** FedEx Corporate Services, Inc.'s Motion for Allowance and Payment of Chapter 11 Administrative Expense Claim Pursuant to Section 503(a) and (b)(1) [Docket No. 538].

Objection Deadline: December 11, 2019 at 4:00 p.m. (prevailing Eastern Time). The objection deadline was extended to January 17, 2020 at 4:00 p.m. (prevailing Eastern Time).

Formal Responses Received:

- A. Debtors' (I) Omnibus Response to Pending Motions for Payment of Administrative Expenses, (II) Joint Request for Scheduling Order, and (III) Reservation of Rights [Docket No. 584].

Related Documents:

- B. Scheduling Order Regarding Pending Administrative Claims Motions [Docket No. 600].
- C. FedEx Corporate Services, Inc.'s Amendment to Motion for Allowance and Payment of Chapter 11 Administrative Expense Claim Pursuant to Section 503(a) and (b)(1) [Docket No. 651].

- D. Notice of Agreed Adjournment of Pending Administrative Expense Motions [Docket No. 693].
- E. Stipulation Regarding Allowance of Administrative Claim [Docket No. 728].

Status: This matter has been resolved.

- 4. ***SKLO Administrative Claims Motion.*** Request for Payment of an Administrative Expense Claim [Docket No. 542].

Objection Deadline: December 11, 2019 at 4:00 p.m. (prevailing Eastern Time).  
The objection deadline was extended to January 17, 2020 at 4:00 p.m. (prevailing Eastern Time).

Formal Responses Received:

- A. Debtors' (I) Omnibus Response to Pending Motions for Payment of Administrative Expenses, (II) Joint Request for Scheduling Order, and (III) Reservation of Rights [Docket No. 584].

Related Documents:

- B. Scheduling Order Regarding Pending Administrative Claims Motions [Docket No. 600].
- C. Notice of Agreed Adjournment of Pending Administrative Expense Motions [Docket No. 693].
- D. Stipulation Regarding Allowance of Administrative Claim [Docket No. 715].

Status: This matter has been resolved.

- 5. ***Ovative Group, LLC's Administrative Claims Motion.*** Motion of Ovative Group, LLC for Allowance and Payment of Post-Petition Administrative Expense Claim [Docket No. 559].

Objection Deadline: December 11, 2019 at 4:00 p.m. (prevailing Eastern Time).  
The objection deadline was extended to January 17, 2020 at 4:00 p.m. (prevailing Eastern Time).

Formal Responses Received:

- A. Debtors' (I) Omnibus Response to Pending Motions for Payment of Administrative Expenses, (II) Joint Request for Scheduling Order, and (III) Reservation of Rights [Docket No. 584].

Related Documents:

- B. Scheduling Order Regarding Pending Administrative Claims

Motions [Docket No. 600].

- C. Stipulation Regarding Allowance of Administrative Claim [Docket No. 685].

Status: This matter has been resolved.

6. ***Newmine, LLC's Administrative Claims Motion.*** Newmine, LLC's Motion for Allowance and Payment of Chapter 11 Administrative Expense Claim [Docket No. 580].

Objection Deadline: December 11, 2019 at 4:00 p.m. (prevailing Eastern Time).

Formal Responses Received: None.

Related Documents:

- A. Amended Notice of Motion of Newmine, LLC's Motion for Allowance and Payment of Chapter 11 Administrative Expense Claim [Docket No. 581].
- B. Notice of Agreed Adjournment of Pending Administrative Expense Motions [Docket No. 693].
- C. Notice of Agreed Adjournment of Deadline to Object to Pending Administrative Expense Motions [Docket No. 736].
- D. Stipulation Regarding Allowance of Administrative Expense Claim [Docket No. 738].

Status: This matter has been resolved.

7. ***Epsilon Data Management, LLC's Administrative Claims Motion.*** Motion of Epsilon Data Management, LLC to Allow and Compel Payment of Administrative Expense Claim under 11 U.S.C. § 503(b) for Services Provided to the Debtors Post Petition [Docket No. 601].

Objection Deadline: January 17, 2020 at 4:00 p.m. (prevailing Eastern Time).

Formal Responses Received: None.

Related Documents:

- A. Notice of Hearing on Motion of Epsilon Data Management, LLC to Allow and Compel Payment of Administrative Expense Claim under 11 U.S.C. § 503(b) for Services Provided to the Debtors Post Petition [Docket No. 602].
- B. Notice of Agreed Adjournment of Pending Administrative Expense Motions [Docket No. 693].

- C. Amended Motion of Motion of Epsilon Data Management, LLC to Allow and Compel Payment of Administrative Expense Claim under 11 U.S.C. § 503(b) for Services Provided to the Debtors Post Petition [Docket No. 729].
- D. Notice of Hearing on Amended Motion of Motion of Epsilon Data Management, LLC to Allow and Compel Payment of Administrative Expense Claim under 11 U.S.C. § 503(b) for Services Provided to the Debtors Post Petition [Docket No. 730].
- E. Notice of Agreed Adjournment of Deadline to Object to Pending Administrative Expense Motions [Docket No. 736].
- F. Stipulation Regarding Allowance of Administrative Expense Claim [Docket No. 741].

Status: This matter has been resolved.

- 8. ***Akamai Technologies, Inc's Administrative Claims Motion.*** Motion for Allowance and to Compel Payment of Administrative Expense Claim Under 11 U.S.C. 503(b) for Services Provided to the Debtor Post-Petition [Docket No. 647].

Objection Deadline: January 21, 2020 at 4:00 p.m. (prevailing Eastern Time).

Formal Responses Received: None.

Related Documents:

- A. Notice of Agreed Adjournment of Pending Administrative Expense Motions [Docket No. 693].
- B. Stipulation Regarding Allowance of Administrative Expense Claim [Docket No. 731].

Status: This matter has been resolved.

### **III. Withdrawn Matters.**

- 9. ***Sapient Corporation's Administrative Claims Motion.*** Motion of Sapient Corporation and Certain of Its Affiliates for Allowance and Immediate Payment of Administrative Expense Claim [Docket No. 589].

Objection Deadline: January 17, 2020 at 4:00 p.m. (prevailing Eastern Time).

Formal Responses Received: None.

Related Documents:

- A. Notice of Agreed Adjournment of Pending Administrative Expense Motions [Docket No. 693].



- B. Notice of Agreed Adjournment of Deadline to Object to Pending Administrative Expense Motions [Docket No. 736].
- C. Withdrawal without Prejudice by Sapient Corporation and Certain of Its Affiliates of Its Motion for Allowance and Immediate Payment of Administrative Expense Claim [Docket No. 739].

Status: This motion has been withdrawn.

#### IV. Adjourned Matters.

- 10. ***Standing Motion.*** Motion of the Agent for Entry of an Order Granting (I) Leave, Standing, and Authority to Commence and Prosecute Avoidance Actions Under Chapter 5 of the Bankruptcy Code and (II) Settlement Authority in Respect of Such Claims [Docket No. 691].

Objection Deadline: January 28, 2020 at 4:00 p.m. (prevailing Eastern Time).  
The objection deadline has been extended to March 3, 2020 at 4:00 p.m. (prevailing Eastern Time).

Formal Responses Received: None.

Related Documents:

- A. Amended Notice of Motion and Objection Deadline for the Motion of the Agent for Entry of an Order Granting (I) Leave, Standing, and Authority to Commence and Prosecute Avoidance Actions Under Chapter 5 of the Bankruptcy Code and (II) Settlement Authority in Respect of Such Claims [Docket No. 720].

Status: This matter has been adjourned to March 10, 2020 at 12:00 p.m. (prevailing Eastern Time).

Dated: January 31, 2020  
New York, New York

/s/ Joshua A. Sussberg, P.C.

Edward O. Sassower, P.C.

Joshua A. Sussberg, P.C.

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